

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IN RE LIFETRADE LITIGATION:

CIVIL ACTION NO. 1:17-cv-02987

This Document Relates to: ALL ACTIONS

**NOTICE OF MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION AND
SHAREHOLDER DERIVATIVE PARTIAL SETTLEMENT**

Pursuant to Fed. R. Civ. P. 23(e), (“Plaintiffs”) on behalf of themselves, Plaintiffs Hugo Leonardo Carlini, Martin Ricardo Miranda, Carlos Alberto Wehbi, Carlos Adrian Ferreti and Daniel Ergasto Gomez Cusco as representatives of the Class (as defined in the Stipulation and Agreement of Settlement, dated August 4, 2021, the “Stipulation”); (iii) Plaintiffs Hugo Leonardo Carlini, Martin Ricardo Miranda, Miguel Fernandez Moores, and Carlos Alberto Wehbi (the “Derivative Plaintiffs”), derivatively on behalf of The Lifetrade Fund B.V., LTrade Plus Ltd. and LTrade Fixed Capital (BVI) Ltd. (the “Lifetrade Funds”) (collectively, Plaintiffs), hereby move this Court for an order: (i) granting preliminary approval of the proposed partial Settlement with Defendant TMF Curaçao N.V. (“Equity Trust”); (ii) approving the proposed notice program with respect to the Class, including the mailed Notice, the publication of the Summary Notice, and the posting of the Stipulation and its Exhibits on a website maintained by the Claims Administrator; (iii) setting a date for a Settlement Fairness Hearing; and (iv) setting deadlines for the mailing of the Notice and publication of the Summary Notice, for Class Member objections and Class Member opt-out notices, for the filing of Plaintiffs’ motion for Final Approval of the Settlement, and for the filing of Plaintiffs’ Counsel’s application for an award of attorneys’ fees and reimbursement of expenses and compensatory awards to Plaintiffs.

This motion is based upon the accompanying Memorandum of Law and Stipulation, with its Exhibits, which are filed contemporaneously herewith, and other such matters and argument as the Court may consider at the hearing on this motion.

Dated: August 13, 2021

Respectfully submitted,

/s/ Steven Phillips

Steven Phillips
Diane Paolicelli
Victoria E. Phillips
Marc C. Gorrie (*Pro Hac Vice*)
PHILLIPS & PAOLICELLI, LLP
747 Third Avenue
New York, NY 10017
Telephone: (212) 388-5100

WATERS & KRAUS, LLP
Charles Siegel (*Pro Hac Vice*)
3141 Hood Street, Suite 700
Dallas, TX 75219
Telephone: (214) 357-6244

Michael Armitage (*Pro Hac Vice*)
Jillian Rice-Loew (*Pro Hac Vice*)
222 N Pacific Coast Highway, Suite 1900
El Segundo, CA 90245
Telephone: (310) 414-8146

Wm. Paul Lawrence, II
37163 Mountville Road
Middleburg, VA 20117
Telephone: (540) 687-6999

Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

I, Steven Phillips, a lawyer admitted to practice in this Court, hereby certify that, on August 12, 2021, I caused the foregoing document to be filed with the Clerk of the Court and served upon all counsel of record via the CM/ECF system.

/s/ Steven Phillips
Steven Phillips